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DATE: November 9, 2004

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SEND TO: United States Patent Office

Examiner: **Borrissov, Igor N.**

Group Art Unit: **3629**

Tel No: 703-305-4649

Fax #: 703-872-9306

FROM: **Leslie A. Van Leeuwen**

Tel No: 512-301-6738

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Docket No. AUS920000484US1

Serial No. 09/704,573

Atty: DAM / JVL

Applicant: Rodriguez, et al.

☐ Transmittal Letter (2 copies)

☐ Certificate of Facsimile (incl. w/Amendment)

☐ Amendment ( ☐ pages)

☒ Notice of Appeal (2 copies)

☐ Amendment AF

☐ Appeal Brief (3 copies)

☐ Ext. of Time

☐ Reply Brief

☐ IDS Statement

☐ Change of Address

☐ Other

Deposit Acct. No. 09-0447

Fees: Amendment ☐ Notice of Appeal \$340 Appeal Brief ☐ Other ☐

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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
Rodriguez, et. al.

Serial No.: 09/704,573

Filed: November 3, 2000

Title: System and Method for Updating  
User Home Automation Systems

§ Group Art Unit: 3629

§

§

§ Examiner: Borrissov, Igor N.

§

§ Attorney Docket No. AUS920000484US1

§

§ IBM Corporation, IP Law Department

§ 11400 Burnet Road

§ Internal Zip 4054

§ Austin, Texas 78758

Certificate of Facsimile Under C.F.R. §1.8(a)

I hereby certify that this correspondence was sent via facsimile to the United States Patent Office to telephone number 703-746-7238 on November 9, 2004.

By: 

Leslie A. Van Leeuwen

Date: 11/9/04

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF APPEALSCommissioner for Patents  
Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Appeals from the Decision of the Primary Examiner mailed August 9, 2004, finally rejecting claims 6-9, 11-13, 18-20, and 25-37.

The item(s) marked below are appropriate:

1. ☐ A petition and fee for extension of term for reply to the final rejection is attached.
2. ☒ Appeal fee  
☒ other than a small entity. Fee: \$340.00
3. ☒ Payment  
☒ Please charge Deposit Account 09-0447 the sum of \$340.00. A duplicate of this notice is attached.

Respectfully submitted,

By: 

Leslie A. Van Leeuwen

Attorney for Applicant

Registration No. 42,196

Telephone: (512) 301-6738

Facsimile: (512) 301-6742

Docket No. US920000484US1

Page 1 of 1

Atty Ref. No. IBM-0032

Rodriguez, et. al. - 09/704,573

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Examiner: Borrissov, Igor N.

Attorney Docket No. AUS920000484US1

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